

May 27, 2003



Best Western  
Paradise Management

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State of Utah  
Department of Natural Resources  
Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84114-5801

Attn: Mr. D. Wayne Hedberg

RE: Second Review of NOI, Koosharem Mine

Dear Mr. Hedberg:

The following is provided in response to your letter of 5/2/03:

**105.2 Surface Facilities Maps:**

Surface facilities maps have been prepared by Mr. Rex Friant, a licensed surveyor of Annabella, Ut. and are forwarded herewith as enclosure No. 1.

**105.3 Drawings and Cross Sections:**

Topographic maps and cross sections are incorporated as a part of enclosure No. 1. If additional displays or formats are required Mr. Friant is available to prepare them.

**106.4 Nature of Materials Mined, Waste and Estimated Tonnage: No additional waste or overburden will be generated to the best of our knowledge.**

**106.5 Existing Soil Types, Locations and Amount:**

We concur with this paragraph as stated: "On May 22, 2001, soil resources were examined in conjunction with an on-site inspection for the EA. The volume of soil resources (topsoil or growth medium) currently stockpiled on site in the three stockpiles and the berms along the northeastern side was estimated to be 13,000 yd. Soil pits dug in the proposed expansion area identified 15-30 inches of topsoil (with an average of 2 feet) that is available for salvage. This depth will yield approximately 16,000 yd of additional material that can be stockpiled for reclamation of the site." The Forest Service will be notified before additional soil salvaging activities are conducted. Please incorporate the foregoing into our NOI.

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DIV. OF OIL, GAS & MINING

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✓ 106.7 Existing Vegetation, Species and Amount:

We concur with this paragraph as stated: "On May 22, 2001, a vegetation survey was conducted in conjunction with an on-site inspection for the EA. Results of this survey identified the common species that were assumed to be present in the current disturbed area (as well as those species found in the proposed expansion area). These species include: Mountain big sagebrush, snowberry, aspen, bitterbrush, yarrow, smooth brome, crested wheatgrass, sheep fescue and an unknown bluegrass. No threatened or endangered species are known to exist in the area. Vegetation ground cover ranged from 50 to 90 percent, with the average vegetation ground cover estimated at 72%. The revegetation success standard for the area (based on this information) will be 50.4% ground cover." Please incorporate the foregoing into our NOI.

✓ 107.1.12 Disposal of Trash, Scrap and Debris:

Please modify our NOI to provide the following: All trash, scrap and debris will be removed from the site and transported to an appropriate disposal facility.

✓ 107.1.14 Posting Warning Signs:

Warning signs have been purchased and will be posted at the entrance to the quarry and along the fence between the road and the highwall.

✓ 107.1.15 Construction Berms, Fences, Etc.

We propose to construct a fence between the road and the highwall area to protect the public. Berms might present a climbing challenge to ATV riders.

✓ 110.2 Roads, Highwalls, Slopes, Drainage, Pits, Etc.

We concur with the provisions recommended in the Proposed Actions section of the EA as follows: "Mitigation measures would be added to the mining plan requiring the leaseholder to: (4) Restore non-clay overburden to the mined area and eliminate high walls, recontouring the land surface to pre-mining conditions as much as possible given remaining material. (5) Regrade slopes to 20 degrees or less after clay has been removed where fill material is available to do so." We request that these provisions be incorporated into our NOI.

✓ 110.5 Revegetation Planting Programs:

Seed Mix

1. The proposed seed mix is acceptable. A supply of seed has been obtained and is available for fall planting on topsoil piles.

✓ Composted Manure

2. We concur with this paragraph as written. Please incorporate the following into our NOI: The EA also identifies the need for and requires the use of composted manure or mulch for revegetation. Current third party costs for delivery and spreading composted manure is \$30.00 per



ton. With approximately 29,000 yd of soil that should be available for reclamation, there will be enough soil material to cover the entire claimed site at a depth of approximately 1-foot. Based on the recommended composting rate above, this will add \$150.00 per acre to the cost of the reclamation surety.

✓ **111.5 Land Capable of Post Mining Use:**

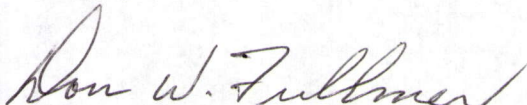
Please amend our NOI to provide the following: The recommended seed mix together with the addition of manure will provide an improved habitat for wildlife in the reclaimed area.

✓ **111.12 Topsoil Redistribution**

Soil resources will be redistributed using heavy equipment and farm equipment as necessary. We anticipate the following sequence to occur:

1. Re-contour, regrade and rip the mined area using a large bulldozer with rippers to achieve desired profile.
2. Finish the regrading process with a large scraper and/or a motor grader to smooth the surfaces.
3. Redistribute non-topsoil overburden and regrade to achieve final contour using front-end loader or scraper as necessary.
4. Uniformly redistribute the topsoil to form the desired seedbed using front-end loader, scraper or dump trucks as required.
5. Distribute composted manure using a manure spreader.
6. Disk or harrow the seedbed as necessary to achieve final seedbed.
7. Drill or broadcast approved seed mix using appropriate farm equipment.

Sincerely,

  
Don W. Fullmer

Enclosures: #1 – Surface Facilities, Topographic and Cross Section  
Maps pages 1-2